



FEDERAL ELECTION COMMISSION
Washington, D.C. 20463

William J. McGinley, Esq.
Jones Day
51 Louisiana Avenue, N.W.
Washington, DC 20001

AUG 22 2017

RE: MUR 6566
MUR 6604
Apple Health Care, Inc.

Dear Mr. McGinley:

On May 3, 2012, the Federal Election Commission notified your client, Apple Health Care, Inc., of a complaint in MUR 6566 alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. On July 10, 2012, the Commission notified your client of a similar complaint in MUR 6604. The Commission later merged the relevant portion of MUR 6604 into MUR 6566. On August 17, 2017, the Commission found, on the basis of the information in the complaint and other available information, that there is no reason to believe Apple Health Care, Inc., violated 52 U.S.C. § 30118(a). Accordingly, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). The Factual and Legal Analysis, which explains the Commission's finding, is enclosed for your information.

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in black ink that reads "Mark Allen".

Mark Allen
Assistant General Counsel

Enclosure
Factual and Legal Analysis

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1 **BEFORE THE FEDERAL ELECTION COMMISSION**

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3 RESPONDENT: Apple Health Care, Inc. MUR 6566

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5 **FACTUAL AND LEGAL ANALYSIS**

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7 **I. INTRODUCTION**

8 This matter was generated by a Complaint filed with the Federal Election
9 Commission alleging that Apple Health Care, Inc. ("Apple Health") made in-kind
10 contributions to Lisa Wilson-Foley for Congress (the "Committee") in violation of the
11 Federal Election Campaign Act of 1971, as amended (the "Act").¹ Specifically, the
12 Complaint alleges that Apple Health paid John Rowland, a former governor of
13 Connecticut, as a "consultant" while he provided campaign work for the Committee,
14 suggesting that those payments were in fact payments for services Rowland provided the
15 campaign.² The president of Apple Health is Brian Foley, the spouse of Lisa Wilson-
16 Foley.

17 **II. FACTUAL AND LEGAL ANALYSIS**

18 Corporations are prohibited from contributing to federal candidate committees.³
19 "Contribution" under the Act and Commission regulations includes the payment by any
20 person of compensation for the personal services of another person rendered to a political
21 committee without charge for any purpose.⁴

¹ The Committee is the principal campaign committee of Lisa Wilson-Foley, a candidate for the U.S. House of Representatives in the Fifth Congressional District of Connecticut in 2012.

² Compl. ¶ 6, MUR 6566. The same allegations were made in the Complaint in MUR 6604. The Commission severed these allegations from MUR 6604 and merged them into MUR 6566.

³ 52 U.S.C. § 30118(a).

⁴ 52 U.S.C. § 30101(8)(A)(ii); 11 C.F.R. §§ 100.52(d), 100.54.

1 Brian Foley admitted in his guilty plea to personally paying Rowland for his work
2 with the Committee.⁵ Accordingly, the Commission finds no reason to believe that
3 Apple Health made a corporate contribution in violation of 52 U.S.C. § 30118(a).

⁵ See *United States v. Brian Foley*, Crim. No. 3:14CR-65 (D. Conn. Mar. 31, 2014).

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